

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

In re: ROMANYAK, JOHN A & JERRI L : Case No. 09-64931  
: Chapter 13  
Debtor(s) :

**OHIO DEPARTMENT OF TAXATION'S RESPONSE  
TO OBJECTION TO CLAIM BY DEBTOR**

The Ohio Department of Taxation ("ODT"), by and through the undersigned as Outside Special Counsel to Ohio Attorney General Richard Cordray, hereby responds to the Debtor's objection to the Ohio Department of Taxation's claim (Claim No. 9) filed in this matter as follows:

1. ODT's Proof of Claim (No. 9) filed on May 7, 2010, indicated a total of \$11,607.15 in personal income tax and/or school district tax liability for 2001, 2002, 2006, 2007 and 2008, due to the ODT.
2. With respect to said claim(s), Debtor(s) has/have set forth unsupported assertions that, if true, may in fact absolve him/her/them of some or all liability for such debts. However, since said assertions were, when said proof of claim was filed, and still remain to this day, unsubstantiated and unproven, ODT must maintain its position with respect to Debtor(s)' liability until such time as it can further investigate and substantiate or disprove Debtors' assertions as set forth in Debtors' objection and will endeavor to do so in the period prior to the hearing or pretrial date that is scheduled as a result of this Response.

Wherefore, the Ohio Department of Taxation, by and through the undersigned as Outside Special Counsel to Ohio Attorney General Richard Cordray, hereby asserts that the Ohio Department of Taxation's Proof of Claim (Claim No. 9) is proper as filed, subject to adjustment based upon its forthcoming investigation and any newly discovered information provided by Debtors or otherwise, as set forth above, and respectfully requests that Debtors' objection be overruled or that a hearing or pretrial hearing be set forthwith on this matter whereby the parties may, if not in agreement prior

thereto based upon such forthcoming investigation and adjustment, present their positions to the Court.

Respectfully Submitted,

Dated: July 19, 2010

/s/ Gregory S. Pope

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Elaine A. Pope (0073263)

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(614) 891-9500

Outside Special Counsel to First Assistant Ohio

Attorney General Richard Cordray as Attorney

for OHIO DEPARTMENT OF TAXATION

**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the foregoing was served, on date the forth below, via the EM/CMF electronic notice system, upon the following persons or entities:

**Office of the United States Trustee**

[ustpreion09.cb.ecf@usdoj.gov](mailto:ustpreion09.cb.ecf@usdoj.gov)

**Frank M Pees**

[trustee@ch13.org](mailto:trustee@ch13.org)

**Matthew J. Thompson**

[hrobinson@ntlegal.com](mailto:hrobinson@ntlegal.com)

and via regular first-class U.S. Mail, postage prepaid, upon the following persons or entities:

**John Alan Romanyak**

**Jerri Lynne Romanyak**

1533 Burkey Ct.

Reynoldsburg, OH 43068

DATED: July 19, 2010

/s/ Gregory S. Pope

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